

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

FILED
03 APR -9 PM 1:29
U.S. DISTRICT COURT
N.D. OF ALABAMA

RICHARD E. LAKE, JR.,

Plaintiff,

vs.

SHANNON HENRY, *et al.*,

Defendants.

CV 01-PWG-2870-S

gm

ENTERED

APR - 9 2003

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on February 4, 2003, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed for failing to state a claim upon which relief can be granted. 28 U.S.C. § 1915A(b)(1). The plaintiff filed objections to the report and recommendation on February 20, 2003 and on March 31, 2003.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). A Final Judgment will be entered.

DATED this 9th day of April, 2003.

J. Fox Guin Jr.
J. FOX GUIN, JR.

UNITED STATES DISTRICT JUDGE

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